

01-26-05

IFW

HDP/SB/21 based on PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → ☐

<b>TRANSMITTAL FORM</b> (to be used for correspondence after initial filing)	<b>Application Number</b>	10/612,384	
	<b>Filing Date</b>	July 2, 2003	
	<b>First Named Inventor</b>	Milbourne	
	<b>Group Art Unit</b>	3721	
	<b>Examiner Name</b>	Scott A. Smith	
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b>	0275Y-000537/COB

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>Request for Reconsideration; Exhibits A-E; return receipt postcard</b>
<b>Remarks</b>		<b>The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 02-2548. A duplicate copy of this sheet is enclosed.</b>

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
<b>Firm or Individual name</b>	Harness, Dickey & Pierce, P.L.C.	<b>Attorney Name</b>	Reg. No.
		Ryan W. Massey	38,543
<b>Signature</b>			
<b>Date</b>	January 25, 2005		

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail in an envelope addressed to: Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.			
<b>Typed or printed name</b>	Ryan W. Massey	<b>Express Mail Label No.</b>	EV 570 163 083 US (1/25/2005)
<b>Signature</b>		<b>Date</b>	January 25, 2005

EV 570 163 083 US

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: MailMail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

27572 7590 03/22/2004  
HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. BOX 828  
BLOOMFIELD HILLS, MI 48303

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,384	07/02/2003	Rodney Milbourne	0275Y-537COB	3677

TITLE OF INVENTION: SIDE HANDLES ON DRILL/DRIVERS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	06/22/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
SMITH, SCOTT A	3721	173-170000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Harness, Dickey & Pierce,  
P.L.C.

2 \_\_\_\_\_

3 \_\_\_\_\_

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Black &amp; Decker Inc.

Newark, Delaware

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☒ corporation or other private group entity ☐ government

## 4a. The following fee(s) are enclosed:

- ☒ Issue Fee \$1330
- ☒ Publication Fee \$300
- ☒ Advance Order - # of Copies 10 - \$30

## 4b. Payment of fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 02-2548 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

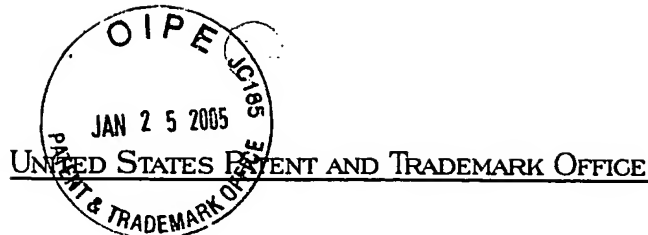
(Authorized Signature) Christopher M. Brock (Date) 06/18/2004

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)



UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/612,384	07/02/2003	3721	750	0275Y-537COB	6	13	3

27572  
 HARNESS, DICKEY & PIERCE, P.L.C.  
 P.O. BOX 828  
 BLOOMFIELD HILLS, MI 48303

CONFIRMATION NO. 3677

**FILING RECEIPT**



\*OC000000010945173\*

Date Mailed: 09/29/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

**Applicant(s)**

Rodney Milbourne, Abingdon, MD;

**Domestic Priority data as claimed by applicant**

This application is a CON of 10/028,461 12/20/2001 PAT 6,595,300

**Foreign Applications**

**If Required, Foreign Filing License Granted:** 09/29/2003

**Projected Publication Date:** 01/08/2004

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Side handles on drill/drivers

**Preliminary Class**

173

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent No.: 6,776,244  
Application No.: 10/612,384  
  
Issue Date: August 17, 2004  
Filing Date: July 2, 2003  
  
Inventor: Rodney Milbourne  
  
Group Art Unit: 3721  
  
Examiner: Scott A. Smith  
  
Title: SIDE HANDLES ON DRILL/DRIVERS  
  
Attorney Docket: 0275Y-000537/COB

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Attn: Certificates of Correction Branch  
Director of the US Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR RECONSIDERATION**

Sir:

Applicant submits this Request for Reconsideration in response to the communication dated January 11, 2004 (should be 2005) in which the Certificates of Correction Branch has denied Applicant's Request for a Certificate of Correction.

Applicant notes that a Request for a Certificate of Correction was filed on August 26, 2004, of which a copy is attached at Tab A. In the correspondence denying Applicant's Request for a Certificate of Correction, it is stated "a petition under 37 C.F.R. 1.182 is required to correct the alleged error in the inventor's name since the inventor's names and addresses are printed solely in accordance with the type-written name and address, and since the error was the result of Applicant's failure to comply with the requirement that the complete and correct name and address be indicated on

the Declaration or Oath, no correction is in order here under the provisions of rules 1.323, unless a petition is granted."

However, Applicant notes that in the Declaration as filed (attached at Tab B), the inventor's name is properly spelled as "Rodney" as opposed to "Rodny" as indicated on the printed patent. Furthermore, Applicant notes that in the official Filing Receipt, the inventor's name is again properly listed as "Rodney," as shown in Tab C. Furthermore, Applicant notes that in the Application Data Sheet filed with the Application, the Applicant's name is properly spelled as "Rodney," as shown in attached Tab D. Finally, Applicant further notes that in the Issue Fee Transmittal Form, the Inventor's name is properly spelled as "Rodney," as shown in Tab E.

Accordingly, Applicant submits that the Inventor's name was complete and correct as indicated on the Declaration, the official Filing Receipt, the Application Data Sheet, and the Issue Fee Transmittal Form. It is only on the printed patent that the Inventor's name was misspelled as "Rodny" and, therefore, Applicant respectfully requests reconsideration and approval of the Certificate of Correction filed on August 26, 2004.

If the Examiner would like to discuss this matter further with Applicant's representative, he may be reached at the phone number listed below.

Respectfully submitted,

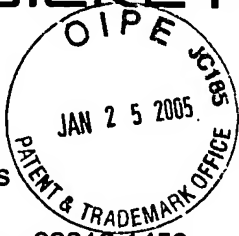
Dated: 1-25-04

By: Ryan W. Massey  
Ryan W. Massey, Reg. No. 38,543

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600



Christopher M. Brock  
Direct Dial: 248.641.1208  
brock@hdp.com



August 26, 2004

Director for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Re: Patent No. 6,776,244 B2  
Issued: August 17, 2004  
Inventor: Rodney Milbourne  
For: Side Handles On Drill/Drivers  
Atty. Docket: 0275Y-000537/COB

Sir:

We have reviewed the above-identified patent and have found the following error which appears to require a Certificate of Correction:

Title Page, (75) Inventor,  
(Page 3 of executed Declaration, "Full Name of Sole or First Inventor"),  
"Rodny" should be -- Rodney --.

This error was caused by the United States Patent and Trademark Printing Office.

Enclosed herewith is an original and copy of the Patent and Trademark Office Certificate of Correction form which we request be approved for the above-identified patent.

Respectfully submitted,

By Christopher M. Brock  
Christopher M. Brock  
Reg. No. 27313

CMB/jb  
Encls.

CERTIFICATE OF MAILING/ TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.

Date: August 26, 2004 Express Mail Label No. EV 533 145 505 US (8/26/2004)

Typed Name: Christopher M. Brock Signature: Christopher M. Brock

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Troy, Michigan 48098  
248.641.1600

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Patents Troy, Michigan  
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287637 Harness UR  
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P.O. Box 828  
Bloomfield Hills, MI 48303 U.S.A.

Metropolitan  
Detroit, MI St. Louis, MO Washington, D.C.

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**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**

PATENT NO : 6,776,244 B2

Page 1 of 1

DATED : August 17, 2004

INVENTOR(S) : Rodney Milbourne

It is certified that error appears in the above-identified patent and that said Letters Patent are hereby corrected as shown below:

Title page,

Item [75] Inventor, "Rodny" should be -- Rodney --.

MAILING ADDRESS OF SENDER: Christopher M. Brock  
Harness, Dickey & Pierce, P.L.C.  
P.O. Box 828  
Bloomfield Hills, MI 48303

PATENT NO. 6,776,244 B2

No. of additional copies

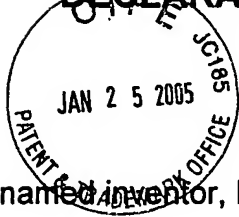


This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



# DECLARATION AND POWER OF ATTORNEY



Atty. Ref.: 0275Y-000537

## DECLARATION

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### SIDE HANDLES ON DRILL/DRIVERS

the specification of which (check one)

- ☒ is attached hereto.  
or  
☐ was filed on \_\_\_\_\_ as Application Serial No. or PCT International Application No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. §§ 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)				
APPN. SERIAL NO.	COUNTRY	DATE FILED (MM/DD/YYYY)	PRIORITY CLAIM	
			Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

## DECLARATION AND POWER OF ATTORNEY

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

PRIOR PROVISIONAL APPLICATION(S)	
APPN. SERIAL NO.	DATE FILED (MM/DD/YYYY)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below:

PRIOR U.S. APPLICATION(S)		
APPN. SERIAL NO.	DATE FILED (MM/DD/YYYY)	STATUS - PATENTED, PENDING, ABANDONED

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### POWER OF ATTORNEY

I hereby appoint Harold Weinstein, Reg. No. 20613; Edward D. Murphy, Reg. No. 20625; John D. Del Ponti, Reg. No. 24258; Charles E. Yocum, Reg. No. 30121; Bruce S. Shapiro, Reg. No. 33120; Adan Ayala, Reg. No. 38373; Michael P. Leary, Reg. No. 41144, Ajay K. Gambhir, Reg. No. 44115, and Richard J. Veltman, Ref. No. 36957 of The Black & Decker Corporation, 701 East Joppa Road, Towson, Maryland 21286, telephone (410) 716-3900; and Christopher M. Brock, Reg. No. 27,313, Ryan W. Massey, Reg. No. 38,543, and each principal, attorney of counsel, associate, and employee of Harness, Dickey & Pierce, P.L.C., who is a registered Patent Attorney, my attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

### CORRESPONDENCE ADDRESS

I request the Patent and Trademark Office to direct all correspondence and telephone calls relative to this application to Customer No. 27572 ( **\*27572\*** ), Harness, Dickey & Pierce, P.L.C., P. O. Box 828, Bloomfield Hills, Michigan 48303 (248) 641-1600.

# DECLARATION AND POWER OF ATTORNEY

Full name of sole or first inventor: Rodney Milbourne

Inventor's signature: Rodney Milbourne

Date: December 19, 2001

Residence: 652 Milford Court, Abingdon, Maryland 21009

Citizenship: United States of America

Mailing Address: 652 Milford Court, Abingdon, Maryland 21009

INVENTOR INFORMATION

Inventor One Given Name:: Rodney  
Family Name:: MILBOURNE  
Postal Address Line One:: 652 Milford Court  
City:: Abingdon  
State or Province:: Maryland  
Country:: US  
Postal or Zip Code:: 21009  
City of Residence:: Abingdon  
State or Province of Residence:: Maryland  
Country of Residence:: US  
Citizenship Country:: US



CORRESPONDENCE INFORMATION

Correspondence Customer Number:: 27572  
Fax One:: 248-641-0270

APPLICATION INFORMATION

Title Line One:: SIDE HANDLES ON DRILL/DRIVERS  
Total Drawing Sheets:: 6  
Formal Drawings?:: Yes  
Application Type:: Utility  
Docket Number:: 0275Y-537COB  
Secrecy Order in Parent Appl.?:: No

CONTINUITY INFORMATION

This application is a:: CONTINUATION OF  
> Application One:: 10/028,461  
Filing Date:: 12-20-2001

Source:: PrintEFS Version 1.0.1